

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Guiochet et al.**

Group Art Unit: 3889

Serial No.: 10/579,020

Examiner: To Be Assigned

Filed: May 11, 2006

Docket No. 80350-1460

For: **Pressure-Cooking Recipient Provided with a Lid Engageable by Controlled-Deformation and a Corresponding Lid**

PETITION UNDER 37 C.F.R. §1.182

Mail Stop PCT
Attn: PCT Legal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submitted a Response to Notification of Missing Requirements on January 25, 2007 for U.S. application number 10/579,020 and inadvertently listed the application number as 10/548,129 on the Response and corresponding papers. A copy of the papers filed on January 25, 2007 is attached. The Response and Declaration were subsequently inserted in the 10/548,129 file.

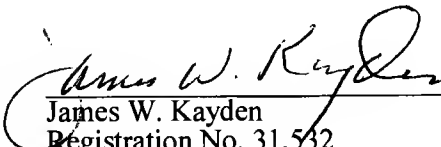
Applicants request that the Response to Notification of Missing Requirements and Declaration filed on January 25, 2007 be removed from U.S. application number 10/548,129 and transferred to U.S. application number 10/579,020. Applicants further request that the records in U.S. application number 10/548,129 be adjusted to correct the inventor information and filing date upon removal of these papers.

Enclosed is the \$400.00 petition fee under 37 C.F.R. §1.17(f). It is not believed that any further petition fees are required. However, if the Office believes that additional fees may be

required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778. A duplicate of this Petition is enclosed.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By: 
James W. Kayden
Registration No. 31,532

600 Galleria Parkway, Suite 1500
Atlanta, Georgia 30339
(770) 933-9500

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
UNDER THE PATENT COOPERATION TREATY

In Re Application of: **Guiochet et al.**
U.S. Serial No.: 10/548,129
(Nat. Phase of Int. Appl. No.: PCT/FR2004/03033)
U.S. Filing Date: 11 May 2006
(Int. Filing Date: 26 November 2004)
Title: **LOSS REDUCTION DEVICE FOR THE PRODUCTION OF ICE CREAM**
Atty Docket No.: 80350-1460

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

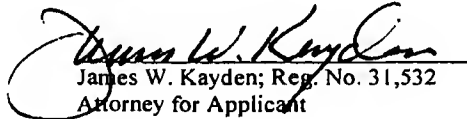
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter (duplicate copy of fee page);
2. Copy of Notification of Missing Requirements under 35 U.S.C. 371;
3. Response to Notification of Missing Requirements under 35 U.S.C. 371;
4. Executed Combined Declaration and Power of Attorney; and
5. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

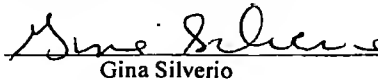
Respectfully submitted,


James W. Kayden; Reg. No. 31,532
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway, N.W.
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No. **EV 907932995 US** service under 37 CFR 1.10 on the date indicated below.

Date: January 25, 2007


Gina Silverio

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 80350-1460 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/548,129
INTERNATIONAL APPLICATION NO. PCT/FR04/03033	INTERNATIONAL FILING DATE 26 November 2004	PRIORITY DATE CLAIMED 27 November 2003
TITLE OF INVENTION Loss Reduction Device for the Production of Ice Cream		
APPLICANT(S) FOR DO/EO/US SEURAT GUIOCHET, Claire Marie Aurore and ANOTA, Daniel Jean-Marie		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/548,129		INTERNATIONAL APPLICATION NO. PCT/FR04/03033		ATTORNEY'S DOCKET NUMBER 80350-1460	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
All other situations..... \$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 0	
				Amount to be refunded:	\$
				Amount to be charged	\$

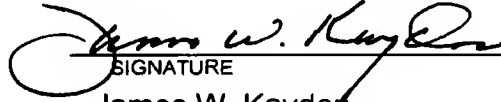
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:


SIGNATURE
James W. Kavden
NAME
31,532
REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 9067

Heine

Serial No: 10/548,129

Docket No.: 80350-1460

PCT Filing Date: 08 December 2003

For: LOSS REDUCTION DEVICE FOR THE PRODUCTION OF ICE CREAM

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

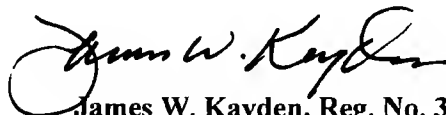
Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Requirements mailed on January 5, 2007, the Applicant herewith submits a signed Combined Declaration and Power of Attorney in connection with the above-identified application.

If the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,



James W. Kayden, Reg. No. 31,532
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, NW, Suite 1750
Atlanta, Georgia 30339-5948

Date: 25-Jan 2007
Customer No: 24504

DECLARATION FOR PATENT APPLICATION

Attorney Docket No: **80350-1460**

As the below named inventor(s), I/we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

I believe I am an original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **Pressure-Cooking Recipient Provided with a Lid Engageable by Controlled-Deformation and a Corresponding Lid**, the specification of which:

☐ is attached hereto.
☒ was filed on May 11, 2006 as Application Serial No. 10/579,020.
☒ was filed on _____ under U.S. Express Mail No. _____.
☒ is set forth in PCT International Application No. PCT/FR2004/003033;
filed on November 26, 2004 and as amended Under PCT Article 19 on _____ (if
any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/we hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: **French patent application no. FR-03 13936 filed November 27, 2003.**

I/we hereby appoint all attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

24504

Please address all telephone calls, in the first instance, to **James W. Kayden** at telephone number: (770) 933-9500.

Address all correspondence to:

James W. Kayden
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W., Suite 1750
Atlanta, Georgia 30339-5948

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Claire Marie-Aurore Seurat Guiochet
Residence: 11 rue des Poiriers Burotte, 21490 Bretigny, France Citizenship: France
Post Office Address: 11 rue des Poiriers Burotte, 21490 Bretigny, France

Inventor's Signature: C. Guiochet Date: 26.10.06

Full Name of Second Inventor: Daniel Jean-Marie Anota
Residence: 3 rue Lacordaire, 21000 Dijon, France Citizenship: France
Post Office Address: 3 rue Lacordaire, 21000 Dijon, France

Inventor's Signature: [Signature] Date: le 26.10.06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/579,020	Claire Marie-Aurore Seurat Guiochet	80350-1460

INTERNATIONAL APPLICATION NO.

PCT/FR04/03033

I.A. FILING DATE	PRIORITY DATE
11/26/2004	11/27/2003

James W. Kayden
 Thomas, Kayden, Horstmeyer & Risley
 100 Galleria Parkway, NW
 Suite 1750
 Atlanta, GA 30339-5948

CONFIRMATION NO. 3889

371 FORMALITIES LETTER



OC000000021842824

Date Mailed: 01/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2006
- English Translation of the IA filed on 05/11/2006
- Copy of the International Search Report filed on 05/11/2006
- Preliminary Amendments filed on 05/11/2006
- U.S. Basic National Fees filed on 05/11/2006
- Specification filed on 05/11/2006
- Claims filed on 05/11/2006
- Abstracts filed on 05/11/2006
- Drawings filed on 05/11/2006

SCANNED

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

THOMAS KAYDEN
 HORSTEMEYER & RISLEY, LLP

RESPONSE DUE 3/5/07 DOCKETED

JAN 08 2007

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,020	PCT/FR04/03033	80350-1460

FORM PCT/DO/EO/905 (371 Formalities Notice)